IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 2820 of 2004

Between:

Y.Suryaprakash Rao, s/o Satyanarayana,
K.Agraharam, Amalapuram, E.G.District.

..... PETITIONER

AND

1 The Superintending Engineer, A.P., Transco (Operation),
Rajahmundry, East Godavari District.
2 The Divisional Engineer, A.P.,Transco (Operation),
Amalapuram, East Godavari District.
3 The Additional Divisional Engineer, A.P.Transco (Operation),
Amalapuram, East Godavari District.
4 The Additional Assistant Engineer, A.P.Transco (Operation),
Ambajipet, East Godavari District.
5 The Asst.Divisional Engineer, A.P.Transco (Operation Sub-Division),
Amalapuram.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or directions more particularly one in the nature of writ of mandamus declaring the action of the respondents in not sanctioning the single phase agriculture service connection to the petitioner's schedule land on forthwith on for with the similarly situated persons in the same area is illegal, arbitrary and violation of the Articles 14 and 300-A of the Constitution of India and consequently direct the respondents to considered petitioner's case in the strength of recommendations made by the respondents 2 to 4 and thereby providing service connection to the

petitioner and forthwith similarly situated persons in the same area.
Counsel for the Petitioner: MR.K.GANI REDDY
Counsel for the Respondents : SMT.M.VINOBHA DEVI, Standing Counsel

The Court made the following :

ORDER:

Heard both sides and at their request the main writ petition itself is taken up for disposal.

The petitioner herein seeks, by way of writ of Mandamus, to declare the action of the respondents in not sanctioning single phase agriculture service connection as illegal and arbitrary and sought for a consequential direction to the first respondent to consider petitioner's case on the strength of the recommendations made by respondents 2 to 4 to provide service connection to him under single-phase system.

The case of the petitioner, in brief, is that even though he has applied for Single Phase service connection, his case has not been considered by the respondents, though similarly placed persons have already been granted service connections, and no opportunity has been provided to him while passing the impugned order.

In the counter affidavit filed by the respondents, it is stated that that even as per the priority list, the petitioner is lagging far behind and therefore considering his case does not arise and others who had given connections were come up in the priority list and therefore, there is no illegality in not considering the case of the petitioner. Further, it is also pointed out by the learned counsel for the respondents that as per the instructions issued in Memo No.CE(Comml) & RAC/APEPDCL/VSP/F.Agl/ D.No. 529/2001, dt.2-7-2001, all the agricultural service connections can be released under III Phase system in Tatkal Scheme. It is also pointed out that the respondents have provided the connections under III Phase system rather than Single-phase system, which, in fact, is made for the residential purposes.

Considering the submissions and also on perusal of the material, it can be seen that there is no doubt the petitioner has sought for agricultural service connection under single phase, but it is clear that the petitioner is lagging far behind

in the priority list and therefore he gets his service connection only as and when his turn comes. Mere grant of some service connections to others, whose cases come up for consideration, cannot be a ground to the petitioner to seek any relief in this writ petition. Further, the respondents are very much intending to provide service connection in III Phase system rather than single phase.

Under these circumstances, I do not find any merit in the writ petition warranting interference under Article 226 of the Constitution of India.

The writ petition is accordingly dismissed. No costs.

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B. PRAKASH RAO, J

Dt.20.8.2004

Kvrk/DA

To

1 The Superintending Engineer, A.P., Transco (Operation),
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6 Two CD copies.